REMARKS

Claim 5, 7-9, and 12-42 are presently pending. Claims 5, 8, 9, 18, 19, 25, 26, 34, 37, 40, 41, and 42 have been amended to clarify that which was previously claims. Support for the amendments is provided throughout the specification including paragraphs [0024]-[0025], [0043], [0058] and [0064]. No new matter has been added. Reconsideration of the pending Claims is respectfully requested in view of the amendments to the Claims and the following remarks.

Telephonic Interview

Applicant thanks the Examiner Matthew C. Sams for the courtesies extended to Applicant's representative, Sanders N. Hillis (reg. no. 45,712), during the telephonic interview of April 8, 2009. During the interview, U.S. Patent No. 7,016,706 to Kurokawa, U.S. Pat. No. 5,634,196 to Alford et al., and U.S. Pat. No. 6,459,440 to Monnes et al. were discussed. No agreement was reached, however proposed claim amendments were discussed that would successfully overcome the present rejections.

Claim Rejections pursuant to 35 U.S.C. §103(a)

Claims 5, 8, 9, 12, 16, 18, 20, 22-27, 29-32, and 35-42 were rejected pursuant to 35 U.S.C. §103(a) as being obvious in view of Kurokawa et al. (U.S. Pat. No. 7,016,706 hereinafter, "Kurokawa") as modified by Alford (U.S. Pat. No. 5,634,196 hereinafter, "Alford"). In addition, Claims 7, 13-15, 17, 19, 21, 28, 33 and 34 were

rejected pursuant to 35 U.S.C. §103(a) as being unpatentable over Kurokawa as modified by Alford and Monnes et al. (U.S. Pat. No. 6,459,440 hereinafter, "Monnes"). Applicant respectfully traverses these rejections because the cited references do not teach or suggest each and every limitation of the presently pending claims.

For example, Claim 5 describes a processor configured to download and store an application program in response to receipt of a user command. The processor is further configured to execute an operating system and execute a runtime environment. The runtime environment is controlled with the operating system to manage the application program. Claim 5 further describes that the processor is further configured to execute the application program by interpretation of the application program with the runtime environment, ... to execute the operating system to generate event data indicative of a cause of the suspension of the application program, and to suspend operation of the application program in response to detection of the one of the predetermined set of events. Such limitations, in combination with the remaining elements described in Claim 5 are not taught or suggested by Kurokawa or Alford, either alone or in combination. To the contrary, Kurokawa simply describes playback of a video, as acknowledged by the Examiner, the call history of Alford is not a downloaded and stored application program, and is not managed with a runtime environment controlled by an operating system.

Instead, Alford's call history is a controller operating in an operating system of Alford's radio stored in electrically erasable or read only memory. (Col. 5 lines 50-67) Moreover, it was asserted on page 3 of the office action that the call history will be updated as to the reasons for interruption/suspension by an incoming call, as well as calls that were answered or missed during the suspension. Thus, in accordance with the rejection, it is apparently being asserted that a first application operating to provide recognition and storage of incoming and missed calls must be operating throughout the period of time that a second application used to display a call history to a user is suspended. Applicant is unable to identify any support in Alford for the assertion that logging and displaying call activity is two separate applications, one of which can be suspended (display of the call history), while the other continues to operate (logging received and missed calls). In fact, Alford is wholly silent regarding any form of partial suspension of the call history functionality described.

Figure 7 of Alford illustrates a software flow diagram of call history memory recall, display, and initiate call functions that are performed with what is described as a single controller operating in a microprocessor, which teaches away from the assertions that there are two separate and independently operating call history applications, namely logging and display. (Col. 5 lines 41-55 and Col. 8, lines 22-24) Accordingly, Applicant respectfully asserts that Alford describes a call history controller that is constantly running when Alford's radio is operational, and can

selectively provide display of a call history screen for a user as one of the functions of the call history controller. (Col. 4 lines 30-35) Kurokawa similarly describes one application that is operating during suspension and is displayed over the suspended image being displayed. (Col. 13, lines 63-67, and Col. 14, lines 1-4)

In addition, even if Alford's call history controller could somehow be construed as two different applications, neither Kurokawa nor Alford teach or suggest a processor configured to execute an application program by interpretation of the application program with the runtime environment, and a processor configured to execute an operating system to generate event data indicative of a cause of the suspension of the application program. Instead, Alford describes only a call history controller, and Kurokawa is silent regarding execution of an application program and an operating system as described in Claim 5.

In another example, Claim 8 describes a computer readable medium encoded with a computer program that is executable by a processor to cause: download and storage in memory of an application program, operation of an operating system and execution of a runtime environment controlled by the operating system, interpretation and execution of the application program with the runtime environment to manage the application program via the operating system, . . . suspension of operation of the application program when an event is detected that is in the predetermined set of events, generation of event data with the operating

system, . . . and delivery of at least one of the event data indications to the resumed application program with the operating system.

Neither Kurokawa nor Alford teach or suggest interpretation and execution of a downloaded and stored application program with a runtime environment controlled by an operating system as described in Claim 8 in combination with the other features described in Claim 8. Moreover, as previously discussed, modification of Kurokawa to include Alford's call history would result in Alford's call history being suspended, since Alford's call history is a single call history controller capable of providing a user interface. (Col. 4 lines 30-35, Col. 5 lines 41-67) Further, neither Kurokawa nor Alford teach or suggest generation of event data with an operating system, and delivery of at least one of the event data indications to the resumed application program with the operating system as described in Claim 8.

In still another example, Claim 9 describes instructions stored in the memory to call a runtime environment with an operating system included in the terminal device, instructions stored in the memory to interpret and execute an application with the runtime environment under control of the operating system, ... instructions stored in the memory to call the runtime environment to suspend operation of the application that is currently being executed, ... and instructions stored in the memory to call the runtime environment to resume execution of the application. Kurokawa, either alone or in combination with Alford fails to teach or

suggest memory to interpret and execute an application with a runtime environment under control of an operating system, or instructions stored in the memory to call the runtime environment to suspend operation and resume execution of the application as described in Claim 9.

Further, neither Kurokawa nor Alford teach of suggest instructions stored in the memory to call a runtime environment to suspend operation of the application, or instructions stored in the memory to call the runtime environment to resume execution of the application. To the contrary, neither Kurokawa nor Alford are concerned with a runtime environment. Also, Alford fails to teach or suggest suspension of operation of an application, and resumption of execution of an application as previously discussed since the call history controller of Alford continuously executes and provides a user interface.

In yet another example, Claim 40 describes a memory, instructions stored in the memory to interpret and execute an application with a runtime environment under control of an operating system, instructions stored in the memory to detect receipt of a first predetermined event, instructions stored in the memory to call the runtime environment to suspend operation of the application that is currently being executed, and instructions stored in the memory for the operating system to store event data related to suspension of the application that comprises instructions stored in the memory to set an event flag indicative of the first predetermined event. None of the cited references teach or suggest instructions stored in the

memory to interpret and execute an application with a runtime environment under control of an operating system, and instructions stored in the memory to call the runtime environment to suspend operation of the application that is currently being executed. Instead, Alford describes a call history controller that is not suspended, but simply provides a user interface, as previously discussed. In addition, none of the cited references teach or suggest instructions stored in the memory for an operating system to store event data related to suspension of the application that comprises instructions stored in the memory to set an event flag indicative of the first predetermined event. Instead both Kurokawa and Alford are wholly silent in this regard.

In still another example, Claim 41 describes a memory, instructions stored in the memory to control execution of a runtime environment with an operating system included in the terminal device,... instructions stored in the memory to use the runtime environment to suspend operation of an application that is currently being executed, and instructions stored in the memory for the operating system to store in a table, a predetermined indicator of the first predetermined event in association with an identifier of the suspended application. None of the cited references teach or suggest instructions stored in the memory to control execution of a runtime environment with an operating system included in the terminal device or instructions stored in the memory to use the runtime environment to suspend operation of an application that is currently being executed. To the contrary, both

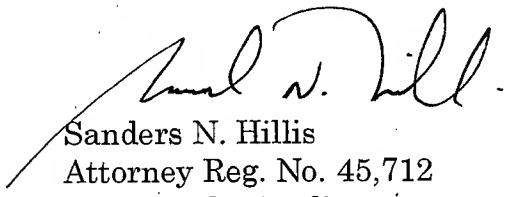
Kurokawa and Alford are silent regarding any form of runtime environment controlled with an operating system and therefore cannot possibly teach of suggest use of a runtime environment to suspend operation of an application currently being executed. In addition, contrary to the assertions in the office action, Alford describes a call history controller that is not suspended, as previously discussed. Further, none of the cited references teach or suggest instructions stored in the memory for the operating system to store in a table, a predetermined indicator of the first predetermined event in association with an identifier of the suspended application since neither Kurokawa nor Alford describe such an operating system, or suspension of execution of an application, as described in Claim 41.

For at least the previously discussed reasons, independent Claims 5, 8, 9, 40-42 and the claims dependent therefrom are not taught, suggested, or disclosed by the cited references either alone or in combination. Accordingly, Applicant respectfully requests withdrawal of the 35 U.S.C. §103(a) rejections of the presently pending Claims.

With this response, the present pending claims of this application are allowable, and Applicant respectfully requests issuance of a Notice of Allowance for this application. Should the Examiner deem a telephone conference to be beneficial

in expediting allowance/examination of this application, the Examiner is invited to call the undersigned attorney at the telephone number listed below.

Respectfully submitted,



Sanders N. Hillis
Attorney Reg. No. 45,712
Attorney for Applicant

SNH

BRINKS HOFER GILSON & LIONE
CUSTOMER NO. 27879
Telephone: 317-636-0886
Facsimile: 317-634-6701